

Meeting Notice
City of Warwick
Planning Board

Date: Wednesday, June 11, 2014

Time: 6:00 p.m.

Location: City of Warwick
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886

The following items will be heard by the City of Warwick Planning Board and a vote will be taken:

Public Meeting
Minor Subdivision
Preliminary
224 Nausauket Road

Location:	224 Nausauket Road
Assessor's Plat:	367
Assessor's Lot:	504, 505, 511, & 553
Applicant/Owner:	Charles W. Johnson

Zoned: A-7 (Residential)
Land Area: 18,631 Square Feet
Ward: 7
Surveyor: Flynn Surveys, Inc.

Project Scope

The Applicant is proposing to reconfigure (4) four abutting non-conforming lots to create (2) two lots; (1) one 10,218 square foot lot located at 224 Nausauket Road with an existing dwelling having less than required front yard setback and a garage having less than required front yard and side yard setback, and (1) one new 8,413 square foot lot located along Nausauket Road and Leonard Avenue for the development of a single family dwelling.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1, “Purposes and General Statements” of the City’s Development Review Regulations, and further finds:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, being consistent with the existing neighborhood, having lots within the 200' radius that meet and exceed the A-7 Residential zoning requirements.

2. That the subject property is located along Nausauket Road and Leonard Avenue; and is identified as Assessor's Plat: 367; Assessor's Lots: 504, 505, 511, & 553.

3. That the subject property consists of (4) four Tax Assessor's lot totaling 18,631 square feet and is zoned Residential A-7.

4. That the A-7 Zoning District requires a minimum of 70 feet of frontage and lot width and a minimum area of 7,000 square feet per individual lot.

5. That the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance.

6. That there will be no significant negative environmental impacts from the proposed development.

7. That the property will have access to Municipal Sewer and Water.

8. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards

would be impracticable.

9. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That all plans submitted shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994.

2. That, as part of the final review, the Applicant shall provide a development plan that shall note at a minimum, but not be limited to, dwelling location, existing and proposed grading, location of existing and proposed utilities, and existing and proposed driveway locations.

3. That as part of the final review, the Applicant shall provide, a Stormwater Management Plan, which shall be designed in accordance with Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development. Per the RI Low Impact Development

Site Planning Design Guidance Manual, the Design Engineer shall incorporate Low Impact Design (LID) as a first choice, if practicable. This plan shall be subject to approval by the City Engineering Division.

4. That the Applicant shall coordinate with the City's Sewer Authority and Water Division relative to connection, prior to Final Approval.

5. That both the existing and proposed dwelling shall be connected to Municipal Sewer and Water.

6. That the existing dwelling shall be connected to Municipal Sewer and Water, prior to the issuance of a Building Permit for the proposed dwelling.

7. That the existing non-conforming shed shall be moved or removed to conform to the City's Accessory Setback requirements, prior to Final Approval.

8. That the granite bounds, as proposed on the Minor Subdivision, Johnson Plat, shall be installed prior to the recording of the "Final Record Plat", or the Applicant shall provide a performance bond.

9. That the Applicant shall install (1) one new street tree on Nausauket Road in front of proposed Lot 1, as shown on the Minor Subdivision, Johnson Plat. The Applicant shall coordinate with the Planning

Department regarding species.

10. That the dwelling shall be connected to Municipal Sewers, prior to the issuance of a Certificate of Occupancy for the new single family dwelling.

11. That no Building Permit shall be issued, prior to Planning Department review.

Public Meeting

Request for a Zone Change

Recommendation

Lloyd Avenue

Applicant: Robert J. Carberry III

Location: 107 Lloyd Avenue

Assessor's Plat: 361

Assessor's Lots: 838

Zoning District: Open Space

Proposed Zoning: A-7 Residential

The Applicant is requesting a recommendation to the City Council for a zone change on Assessor's Plat 361; Assessor' Lot 838 from Open Space to A-7 Residential. Assessor's Lot 838 was inadvertently zoned Open Space during the 1988 Citywide Zone Change. At that

time, the City owned the Tax Title Interest ONLY in the aforementioned lot. The Applicant purchased the lot along with the abutting house lot in 1992 and was not aware that the property had been rezoned to Open Space until an application was made to the Building Department for a garage and was denied.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements of the City’s Development Review Regulations”, and:

- 1. That the proposed development is generally consistent with the Comprehensive Community Plan, specifically Chapter 12, Future Land Use Zoning and Urban Design, which specifically calls for the protection and support of existing single family dwellings and residential neighborhoods and the minimization of land use conflicts.**
- 2. That the proposed development is generally consistent with the existing neighborhood, having lots within the 200’ radius that are zoned Residential A-7 and contain single family dwellings.**

The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City’s Zoning Ordinance, as presented in Section 100, “Title and Purpose.”

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

A) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.

103.11 Promote the implementation of the Warwick Comprehensive community plan, as amended.

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zone change from Open Space to A-7 Residential, with the following stipulation:

1. That the Applicant shall merge Assessor's lots 512 and 838 through the Administrative Subdivision procedure as contained in the City of Warwick Development Review Regulations, prior to the issuance of a Building Permit.

Public Informational Meeting
Major Land Development/Subdivision
Cumberland Farms - Apponaug

Applicant: Cumberland Farms, Inc.

Property Owner: Gray Enterprises, Inc. (Lot 99)

Gulf Oil (Lot 97)

Location: 3327 and 3335 Post Road

Assessor's Plat: 244

Assessor's Lots: 97 and 99

Zoning District: General Business, with an Historic Overlay zone

Land Area: 39,643 sf

Number of existing lots: 2

Number of proposed lots: 1

Engineer: Garofalo and Associates, Inc.

Ward: 7

Background

The Applicant is requesting Master Plan Approval of a Major Land Development Project/ Subdivision for the construction of a one story, 4,513 square foot convenience store, canopy and fueling pumps. The Applicant plans to demolish the existing one storey brick building, canopy and gas pumps on Lot 97 as well as the existing building on Lot 99. Following demolition, a new 4,513sf convenience store and a

new canopy, measuring 40'x 83', over five new gasoline dispensers (10 fueling positions) will be built. The Applicant is also requesting from the Zoning Board of Review a Special Use Permit for Use Code 421. Gas station (no repairs), with a convenience store, and dimensional relief for less than required front and side yard setback, less than required parking and moveable signage.

The proposed development is sited on two Assessor's lots, with a combined area of 39,643 square feet. The site is located on Post Road within Apponaug Village. Lot 97 was most recently used as a gas station but is currently vacant, and Lot 99 currently houses a one storey concrete block building, constructed circa 1940, and occupied by Piezoni's pizza shop and Gannon sign shop. The Applicant proposes to sell Lot 97 to the owner of Lot 99, and lease the parcel for the proposed use. In addition to the building and fuel pumps, site improvements will include new parking, outdoor seating and landscape areas.

This parcel is located in historic Apponaug Village, founded in 1696 and one of Warwick's oldest neighborhoods. Beyond the traffic noise and disruption, Apponaug has the foundations of a dynamic community. It features four churches, an historic City Hall listed on the National Register of Historic Places, a museum, a library, ball fields, a post office and an underutilized waterfront.

The City's newly adopted Comprehensive Plan calls for the City to work to create and support village centers, and preserve and enhance

the City's open space, recreation and water resources. In 2011, the City reclassified the properties along Post Road in Apponaug as "Village" zoning.

With this in place, and the Rhode Island Department of Transportation's Circulator project slated to begin this year, this area in Apponaug is positioned to realize long term revitalization goals for the area.

The proposal is projected to create 12 to 14 new full and part time jobs and generate tax revenue for the City of approximately \$30,000 per year.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations and

1. Generally consistent with the Comprehensive Community Plan, which finds that land development in the future will increasingly involve redevelopment of previously used sites and calls for the City to work to create and support village centers, and preserve and enhance the City's open space, recreation and water resources. Over 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is "very important."

2. That the subject property is a corner lot and is located in the south west corner of the intersection known as Apponaug Four Corners, and is identified as Assessor's Plat: 244 Assessor's Lots: 97 and 99 and are zoned General Business with a Historic Overlay.

3. Not in compliance with the standards and provisions of the City's Zoning Ordinance, therefore requiring Zoning Board of Review for a Special Use permit for Use Code 421, and relief for less than required front and side yard setback, less than required parking, and moveable signage.

4. That this parcel is located within historic Apponaug Village, and is in close proximity to the village center which was rezoned in 2011 to Village zoning in order to revitalize economic development.

5. That a traffic report, prepared by McMahon Associates, and dated February 2014, concludes that "With the predominately pass-by nature of the proposed Cumberland Farms convenience store and gasoline station, the project will not result in a significant impact on the overall traffic operations of the study area roadways....due to the nature of the convenience market with gas station sites, patrons will seek out the most efficient routes for entering and exiting a site. Based on the analysis results presented in this report, the proposed development of Cumberland Farms is expected to have a minimal impact on the operations of the study area roadways."

6. That the Project Engineer has contacted Rhode Island Department of Transportation and is coordinating the site design with the design of the Apponaug Circulator project, which is scheduled to begin construction this year.

7. That the properties north and south of the subject parcel, and fronting on Post Road are general business uses. This parcel does not abut any residentially zoned properties.

8. That the proposal has been designed in order to meet the requirements of the City's Historic District Commission. In accordance with preservation authority review, the building is sited within the front yard setback to maintain a defined street edge, and an outdoor seating area is incorporated to provide activity and street life to the Village area

9. That the project was reviewed by the Warwick Historic District Commission and approved at the March 19, 2014 meeting.

10. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

11. That the proposed development possesses adequate access to a

public street.

12. That the proposed development has access to public water and sewer.

Planning Department Recommendations

Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That the Preliminary Plan shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994

2. That prior to Preliminary Approval, the Applicant shall receive Zoning Board of Review approval for a Special Use Permit for Use Code 421, and relief for less than required front and side yard setback, less than required parking and moveable signage. LED signage shall be utilized for gas/fuel price information only. LED advertising message boards are prohibited

3. That prior to Final Approval, the Applicant shall merge Assessor's Plat 244, Assessor's Lots 97 and 99, and record a subdivision as per The City of Warwick's Development Review Regulations. This subdivision shall include a provision for the donation of land along

the southern portion of the parcel and abutting Hardig Brook, made to the City for Open Space use.

4. That all proposed site design shall be coordinated with RIDOT to be compatible with the Apponaug Circulator Long Term Improvements project.

5. That all two way travel lanes shall have a minimum of 24 feet of unobstructed width and an unobstructed vertical clearance of 13'6", and that all corners shall be negotiable by vehicles having an outer tire turning radius of 50' to allow for unimpeded access by fire apparatus.

6. That prior to Preliminary Approval, a Storm Water Management Plan shall be submitted in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, and designed to demonstrate a zero-net runoff from the proposed development. This plan shall be subject to approval by the City Engineering Division. Prior to submission to RIDEM or RIDOT, the City's Engineering Division shall review and approve the proposed drainage system design.

7. That prior to Preliminary Approval, the Applicant shall submit an Operation and Maintenance Plan for the proposed storm water collection system.

8. That prior to Preliminary Approval, the Applicant shall receive all required State and City permitting, including, but not limited to RI DEM and RI DOT Physical Alteration Permit

9. That the Preliminary submittal shall include a Landscape Plan, prepared by a registered Rhode Island Landscape Architect. Said plan shall be subject to approval by the Planning Department and provide, at a minimum:

a. Tree protection of the root zones of the existing trees along the western property line.

b. Additional large deciduous shade trees planted along the southwestern area, evergreen shrubs to the property line area, and a shade tree on Centerville Road, to the western side of the curb cut.

10. That prior to Preliminary Approval, the Applicant shall receive approval from the Kent County Water Authority. The Project Engineer shall coordinate with the Warwick Division of Water regarding an existing major transmission line located in Centerville Road.

11. That the Project Engineer shall coordinate with the Warwick Sewer Authority to install the proposed sewer tie in as depicted on the Site Utility Plan, submit projected flows to the Warwick Sewer Authority, and comply with all industrial pretreatment requirements. This project shall be subject to Warwick Sewer Authority Inspection Fees.

Actions by the Administrative Officer

Administrative Subdivision

Name Assessor's Plat: Assessor's Lot/s

Corrective Replat of Bayside 356 144 & 145

Any party, person (s) or entity interested in registering for electronic notice for proposed zoning amendments and/or amendments to the City's Zoning Ordinance and the City's Development Review Regulations governing Subdivision, Land Development and Development Plan Review should contact the City's Planning Department at 401-738-2000, extension 6289.